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REMARKS

Claims 1-24 are currently pending in the subject application and are presently under consideration. Claims 1, 8, 10, 11, 12, 15, 22, 23, 24 are amended to clarify what applicants regard as the invention, and claims 9, 21 are cancelled herein. In addition, the specification has been amended to correct minor informalities. No new matter has been added.

Applicants' representative thanks the Examiner for courtesies extended during telephone conference on July 12, 2005, regarding the subject application, wherein it was noted that the limitations of: "*a constant accessor* that enables actions and conditions to relate information across different domains, to at least one of resolve and link values associated with a bind of the first and second executable application"; or "*resolving* a value for a *constant accessor* across a plurality of domains"; or "breaking a dependency created in part *via* a constant accessor", recite allowable subject matter over the cited references. Accordingly, the independent claims of the subject application are amended herein to recite at least one of the above noted limitations.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments below.

I. Rejection of Claims 1, 9-12, 15 and 21-24 Under 35 U.S.C. §102 (b)

Claims 1, 9-12, 15 and 21-24 stand rejected under 35 U.S.C. §102 (b) as being anticipated by Microsoft XP version 5.1. Withdrawal of this rejection is respectfully requested for at least the following reasons. Microsoft XP version 5.1 does not teach the claimed invention.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Independent claim 1 is directed to a first executable application including one or more functions that are registered in a registry component, and an extension component

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that reads function data from the registry and binds a second executable application to the first, wherein a constant accessor enables actions and conditions to relate information across different domains, to resolve/link values associated with a bind of the first and second executable application. For example, constant accessors can be named groups of objects that provide arguments to conditions and actions in place of a user having to manually specify each such object. Accordingly, constant accessors can allow preferences and conditions to be written that are capable of navigating and retrieving information from various domains. These constants can act as functions that operate to find and materialize the correct information, namely the members of the group associated with the name of the constant. Such aspects of applicants' claimed invention are not taught by the example relating to Microsoft XP version 5.1 as cited in the Office Action.

The cited example in the Office Action pertains to a user selecting "File" → "Folder" → "New Folder", to create a new personal folder. Such does not employ a *constant accessor*, to resolve/link values associated with a bind of the first and second executable application. Independent claim 1 recites "*a constant accessor* [...]" to at least one of resolve and link values associated with a bind of the first and second executable application." Likewise, independent claim 12 recites "resolving a value for *a constant accessor* across a plurality of domains". Moreover, independent claim 15 recites "breaking a dependency created in part *via a constant accessor*". Claim 9 has been cancelled herein.

In view of the at least above comments it is readily apparent that the example relating to Microsoft XP version 5.1 as cited in the Office Action does not teach the subject invention as recited in independent claim 1, (claims 2-8, 10, 11 dependent therefrom), and independent claims 12 (claims 13, 14 dependent therefrom), and independent claim 15 (claims 16-20, 22-24 dependent therefrom) and this rejection should be withdrawn.

II. Rejection of Claims 1-2, 6-8, 12-14 Under 35 U.S.C. §103 (a)

Claims 1-2, 6-8, 12-14 stand rejected under 35 U.S.C. §103 (a) as being obvious over 'IBM Ada/6000', September 02, 1998; and Shaughnessy *et al.* (US 6,026,235), in view of Walker (U.S. 6,016,394). Withdrawal of this rejection is respectfully requested

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for at least the following reasons. The suggested combination of references does not teach or suggest applicants' claimed invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, *the prior art reference (or references when combined) must teach or suggest all the claim limitations*. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art and not based on the Applicant's disclosure. See *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

IBM Ada/6000 is directed to compile, bind an execution of IBM ada programs, wherein a user can create a library and specify a list of files for use by another application. Such does not teach or suggest a constant accessor as noted above. Shaughnessy *et al.* and Walker fail to make up for the aforementioned deficiencies of IBM Ada/6000 with respect to the subject claims.

Shaughnessy *et al.* is directed to a development system having a monitor/profiler tool for monitoring functions in natively compiled software programs, which unlike prior versions of monitor/profiler tool does not require a special compile or link phase for the application under exam. Likewise, Walker is directed to a system and method for computer-assisted database management software creation of a target software application, from a description known as a dictionary interoperating with a universal software application. Such references do not teach or suggest a constant accessor as in applicants' claimed invention.

In view of the at least above comments it is readily apparent that IBM Ada/6000 in view of Shaughnessy *et al.*, and further in view of Walker do not teach or suggest the subject invention as recited in independent claim 1, (claims 2, 6-8, dependent therefrom), and independent claim 12 (claims 13-14 dependent therefrom.) Withdrawal of this rejection is respectfully requested.

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III. Rejection of Claims 3-5 Under 35 U.S.C. §103 (a)

Claims 3-5 stand rejected under 35 U.S.C. §103 (a) as being obvious over 'IBM Ada/6000', and Shaughnessy *et al.* in view of Walker, further in view of 'Compile Time Scheduling of an Ada Subset' by E.W. Giering III *et al.*, Washington Ada Symposium Proceedings, June 1990 (hereinafter "Giering").

Claims 3-5 depend from independent claim 1, and, Ada/6000 does not anticipate nor render obvious claim 1 as noted above. It is respectfully submitted that Shaughnessy *et al.* in view of Walker, and further in view of Giering, do not make up for the aforementioned deficiencies of Ada/6000 with respect to independent claim 1, and therefore withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 15-20 Under 35 U.S.C. §103 (a)

Claims 15-20 stand rejected under 35 U.S.C. §103 (a) as being obvious over IBM Ada/6000 and Shaughnessy *et al.* Independent claim 15 recites "breaking a dependency created in part *via a constant accessor*", and as noted above such aspects of the claimed invention are not taught or suggested by IBM Ada/6000 and Shaughnessy *et al.*, alone or in combination.

Moreover, the Examiner's assertion that the term "notifying" (as recited in independent claim 15) should be *limited* to "notifying *a user*" is in error, as the subject specification describes several examples of "notifying *dependant applications*" (*e.g., see* page 113, lines 8, and 10). Accordingly, IBM Ada/6000 alone or in combination with Shaughnessy *et al.* does not teach or suggest independent claim 15, and claims 16-20 that respectively depend therefrom.

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CONCLUSION


The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP545USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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